



## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2022-0617; Airspace Docket No. 22-ASW-4]

RIN 2120-AA66

### Amendment of VOR Federal Airway V-573 and Area Navigation (RNAV) Route T-398 in the Vicinity of Sulphur Springs, TX

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends VHF Omnidirectional Range (VOR) Federal airway V-573 and Area Navigation (RNAV) route T-398. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Sulphur Springs, TX (SLR), VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Sulphur Springs VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

**DATES:** Effective date 0901 UTC, February 23, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/). For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC, 20591; telephone: (202) 267-8783.

## **SUPPLEMENTARY INFORMATION:**

### **Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System (NAS).

### **History**

The FAA published a notice of proposed rulemaking for Docket No. FAA-2022-0617 in the *Federal Register* (87 FR 31436; May 24, 2022), amending VOR Federal airway V-573 and RNAV route T-398. The proposed amendment actions were due to the planned decommissioning of the VOR portion of the Sulphur Springs, TX, VOR/DME NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

VOR Federal airways are published in paragraph 6010(a) and United States Area Navigation Routes are published in paragraph 6011 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The Air Traffic Service (ATS) routes listed in this document will be published subsequently in FAA Order JO 7400.11.

### **Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO

7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

## **The Rule**

This action amends 14 CFR part 71 by amending VOR Federal airway V-573 and RNAV route T-398 due to the planned decommissioning of the VOR portion of the Sulphur Springs, TX (SLR), VOR/DME. The ATS route actions are described below.

**V-573:** V-573 extends between the Will Rogers, OK, VORTAC and the Little Rock, AR, VORTAC. The airway segment overlying the Sulphur Springs VOR/DME between the Bonham, TX, VORTAC and the Texarkana, AR, VORTAC is removed. As amended, the airway is changed to extend between the Will Rogers, OK, VORTAC and the Bonham, TX, VORTAC; and between the Texarkana, AR, VORTAC and the Little Rock, AR, VORTAC.

**T-398:** T-398 extends between the SLOTH, TX, waypoint (WP), and the GMINI, NC, WP. The route is extended further westward between the RRORY, TX, WP being established near the Bonham, TX, VORTAC and the SLOTH, TX, WP. The added RNAV route segment overlays the V-573 airway segment being removed between the Bonham, TX, VORTAC and the Texarkana, AR, VORTAC, noted above. The full route legal description is included in the amendments to part 71 set forth below.

The NAVAID radials listed in the VOR Federal airway description below are unchanged and stated in True degrees.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

## **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT)

Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

## **Environmental Review**

The FAA has determined that this action of amending VOR Federal airway V-573 and RNAV route T-398, due to the planned decommissioning of the VOR portion of the Sulphur Springs, TX, VOR/DME NAVAID, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points) and paragraph 5-6.5i, which categorically excludes from further environmental impact review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no

extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

### **The Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### **PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### **§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

#### **Paragraph 6010(a). Domestic VOR Federal airways.**

\* \* \* \* \*

#### **V-573 [Amended]**

From Will Rogers, OK; INT Will Rogers 195° and Ardmore, OK, 327° radials; Ardmore; to Bonham, TX. From Texarkana, AR; INT Texarkana 037° and Hot Springs, AR, 225° radials; Hot Springs; to Little Rock, AR.

\* \* \* \* \*

#### **Paragraph 6011. United States Area Navigation Routes.**

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<b>T-398 RRORY, TX to GMINI, NC [Amended]</b>		
RRORY, TX	WP	(lat. 33°32'14.95"N., long. 096°14'03.45"W.)
MERIC, TX	WP	(lat. 33°11'54.97"N., long. 095°32'32.66"W.)
SLOTH, TX	WP	(lat. 33°30'49.99"N., long. 094°04'24.38"W.)
MUFRE, AR	FIX	(lat. 34°05'31.32"N., long. 093°10'43.80"W.)
LITTR, AR	WP	(lat. 34°40'39.90"N., long. 092°10'49.26"W.)

EMEEY, AR	WP	(lat. 34°34'30.29"N., long. 090°40'27.14"W.)
GOINS, MS	WP	(lat. 34°46'12.64"N., long. 089°29'46.81"W.)
HAGIE, AL	WP	(lat. 34°42'25.87"N., long. 087°29'29.76"W.)
FILUN, AL	WP	(lat. 34°47'50.14"N., long. 086°38'01.14"W.)
JILIS, GA	WP	(lat. 34°57'23.98"N., long. 085°08'03.46"W.)
CRAND, GA	FIX	(lat. 34°57'28.88"N., long. 084°51'20.59"W.)
BALNN, GA	WP	(lat. 34°56'34.20"N., long. 083°54'56.42"W.)
BURGG, SC	WP	(lat. 35°02'00.55"N., long. 081°55'36.86"W.)
GAFFE, SC	FIX	(lat. 35°05'38.90"N., long. 081°33'23.92"W.)
CRLNA, NC	WP	(lat. 35°12'49.48"N., long. 080°56'57.32"W.)
LOCAS, NC	FIX	(lat. 35°12'05.18"N., long. 080°26'44.89"W.)
RELPY, NC	FIX	(lat. 35°12'45.70"N., long. 079°47'28.76"W.)
GMINI, NC	WP	(lat. 35°12'23.01"N., long. 079°34'01.98"W.)

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Issued in Washington, DC, on November 30, 2022.

Scott M. Rosenbloom,  
Manager, Airspace Rules and Regulations.

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